

REMARKS

Claims 1-20 are pending in the application, and all claims are rejected. With this response claims 1-11, 13, 14 and 16 are amended, claim 15 is cancelled, and new claims 21-25 are added. All amendments and new claims are fully supported by the specification as originally filed. The amendments to the claims is made in part to cancel the reference numerals listed in the claims, which has no affect on the scope of the claims. See MPEP § 608.01(m). Support for the amendment to claim 13 can be found at least at page 9, line 20—page 10, line 21 of the specification as originally filed. Support for new claims 21-25 can be found at least at the sections of the specification mentioned above. The structure corresponding to the functions recited in new claim 24 can be found at least the sections of the specification mentioned above.

Applicant respectfully requests reconsideration of the rejections in light of following discussion.

Claim Rejections Under § 102

At section 1, on page 2 of the Office Action claims 1-20 are rejected under 35 U.S.C. § 102(e) as anticipated by Rachabathuni et al. (U.S. Patent No. 6,628,938). Rachabathuni fails to disclose or suggest independent claim 1, because Rachabathuni at least fails to disclose or suggest adapting a configuration of an application on a terminal device in accordance with properties of at least one data connection, as recited in claim 1.

Rachabathuni teaches a method of selecting an application in a wireless device based on messages received from a wireless station that are specific to services provided by the wireless station. See Rachabathuni Abstract. Rachabathuni also teaches a user location method in which the locations and user identities of users of wireless devices are registered. See Rachabathuni Abstract. In the application selection method taught by Rachabathuni it is an object of the method to check the availability or desirability of running an application. See Rachabathuni column 2, lines 18-20. Rachabathuni focuses on selecting applications in wireless devices, and does not disclose or suggest adapting the configuration of an application on a terminal device in accordance with properties of at least one data connection.

Futhermore, in Rachabathuni the selection of which application to run is based on a signal from a wireless station, and the configuration of an application that is designated to be run is not affected by the signal from the wireless station. The wireless station only indicates which applications are to be run on the wireless device, and has no effect on the configurations of the applications. The system disclosed by Rachabathuni has the effect of

causing wireless devices to quickly change applications, but the configuration of an application on a terminal device is not adapted in accordance with properties of at least one data connection, as recited in claim 1. See Rachabathuni column 2, lines 57-60. Therefore, Rachabathuni fails to disclose or suggest all of the limitations recited in claim 1, and claim 1 is patentable over Rachabathuni.

Claims 2-12 ultimately depend from independent claim 1, and are patentable over Rachabathuni at least in view of their dependencies.

Independent claim 13 contains limitations similar to those recited in independent claim 1, and is rejected for the same reason as claim 1. Therefore for at least the reasons discussed above in relation to claim 1, claim 13 is not disclosed or suggested by Rachabathuni.

Claim 14 depends from independent claim 13, and is patentable over Rachabathuni at least in view of its dependencies. The rejection of claim 15 is moot in light of the cancellation of claim 15.

Independent claim 16 is also not disclosed or suggested by Rachabathuni, because Rachabathuni fails at least to disclose or suggest a configuration server, responsive to a selection signal, for selecting a specific data connection for at least one application, as recited in claim 16. As discussed above in relation to claim 1, Rachabathuni only teaches selecting an application in a wireless based on a message received from a wireless station. Rachabathuni does not disclose or suggest that a specific data connection is selected for an application based on a selection signal, and instead only provides that an application is selected. Therefore, Rachabathuni fails to disclose or suggest all the limitations recited in claim 16, and claim 16 is patentable over Rachabathuni.

Claims 17-20 ultimately depend from independent claim 16, and are patentable over the cited references at least in view of their dependencies.

New Claims 21-25

New claim 21 contains limitations similar to those recited in independent claim 13, and therefore is patentable over the cited references for at least the reasons discussed above in relation to claim 13.

New claims 22 and 23 depend from new independent claim 21, and are patentable over the cited references at least in view of their dependencies.

New claim 24 contains limitations similar to those recited in independent claim 16, and therefore is patentable over the cited references for at least the reasons discussed above in relation to claim 16.

New claim 25 depends from new independent claim 24, and is patentable over the cited references at least in view of its dependency.

Conclusion

The rejections of the Office Action having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested, and passage to issue of the present application is earnestly solicited. The undersigned believes that no additional fee is required to submit this response, but hereby authorizes the Commission to charge deposit account 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,



Keith R. Obert
Attorney for the Applicant
Registration No. 58,051

Date: 13 June 2006

KRO/kas
Ware, Fressola, Van Der Sluys & Adolphson LLP
755 Main Street, P.O. Box 224
Monroe, CT 06468
(203) 261-1234
Customer No. 004955